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#### Before the

# Federal Communications Commission Washington, DC

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DEC 31 2001

In the Matter of	OFFICE OF THE SECRETARY
Amendment of Section 73.202(b),	) Docket No. 01-111
Table of Allotments,	) RM-10124 ——
FM Broadcast Stations	)
(Alamo, Georgia)	)
Tel-Dodge Broadcasting Co.	) File No. BMP-20010522AAD
Application for Minor Change	) RM-10341
Station WMCG(FM)	)
Milan GA	)

To: Chief, Allocations Branch

#### **REPLY COMMENTS**

Radio East Corp., by its attorney, submits its reply comments with respect to this proceeding.

With respect thereto, the following is stated:

The Petition for Rule Making filed by Radio East Corp. was filed on March 7, 2001. The application of Tel-Dodge Broadcasting Co. for minor change of Station WMCG(FM), Milan, Georgia, was subsequently filed on May 22, 2001. Therefore, in accordance with the provisions set forth in *Amendment of the Commission's Rules to Permit FM Channel and Class Modifications by Application*, 8 FCC Rcd 4735 n.22 (1993). the Tel-Dodge application has been accepted as a counterproposal and placed on Public Notice. *Public Notice*, Report No. 2520 (Dec. 14, 2001). No other counterproposals or comments were filed in this proceeding.

As with all rulemaking proceedings, this proceeding is governed by the allotment criteria which was set forth initially in Revision of *FMAssignment Policies and Procedures*, 90 F.C.C.2d 88 (1982) ("Assignment Policies and Procedures"), that establishes the following allotment priorities:

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- (1) first full-time aural service
- (2) second full-time aural service
- (3) first local service
- (4) other public interest matters

Co-equal weight is given to factors (2) and (3). Under these criteria, Radio East prevails.

Alamo, Georgia is an established community, <sup>1</sup> that has no other aural broadcast services. Therefore, Radio East's proposal falls under Priority (3). In contrast, Tel-Dodge's proposal only is an improvement of existing service. Consequently, it is entitled to consideration only under "Priority (4)." The Commission has stated that generally the provision of a new primary service is of greater public interest benefit than the expansion of an existing one, especially here, where Alamo is the more populous community (1,943 vs. 1,012). See, e.g., Chehalis, WA, 13 FCC Rcd 13202, ¶ 6 (Chief, Allocations Branch 1998) (new allotment vs. one-step upgrade; new allotment prevails).

See Petition for Rule Making, <u>Attachment 2</u>.

Attachment 1, hereto.

Consequently, as between the two proposals, the proposal for modification of the FM Table of Allotments to add Channel 287C3 at Alamo, Georgia, is favored. It therefore respectfully is requested that the rulemaking proposal of Radio East Corp. be granted, and that the application of Tel-Dodge Broadcasting Co. be denied.

Respectfully submitted,

RADIO EAST CORP.

Don I I Inort

Its Attorney

The Law Office of Dan J. Alpert 2120 N. 21<sup>st</sup> Rd. Arlington, VA 22201

703-243-8690

December 31, 2001



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#### Quick Tables

<u>DP-1. Profile of General Demographic Characteristics: 2000</u>
Data Set: <u>Census 2000 Summary File 1 (SF 1) 100-Percent Data</u>
Geographic Area: **Milan town, Georgia** 

NOTE: For information on confidentiality protection, nonsampling error, and definitions, see <a href="http://factfinder.census.gov/home/en/datanotes/expsf1u.htm">http://factfinder.census.gov/home/en/datanotes/expsf1u.htm</a>.

Subject	Number	Percen
		di inakan kanta antakan ke a alam kan ma
Total population	1,012	100.0
SEX AND AGE		
Male	615	60.8
Female	397	39.2
Under 5 years	62	6.1
5 to 9 years	39	3.9
10 to 14 years	44	4.3
15 to 19 years	77	7.6
20 to 24 years	113	11.2
25 to 34 years	147	14.5
35 to 44 years	178	17.6
45 to 54 years	125	12.4
55 to 59 years	53	5.2
60 to 64 years	41	4.1
65 to 74 years	73	7.2
75 to 84 years	49	4.8
85 years and over		1.1
Median age (years)	36.4	(X)
18 years and over	828	81.8
Male	517	51.1
Female	311	30.7
21 years and over	769	76.0
62 years and over	159	15.7
65 years and over	133 }	13.1
Male	53	5.2
Female	80	7.9
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RACE		
One race	1,008	99.6
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Black or African American	353	34.9
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Filipino	0	0.0
Japanese	0	0.0
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Samoan	0	0.0
Other Pacific Islander <sup>2</sup>	0	0.0
		0.0

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#### Quick Tables

DP-1. Profile of General Demographic Characteristics: 2000 Data Set: Census 2000 Summary File 1 (SF 1) 100-Percent Data Geographic Area: Alamo city, Georgia

NOTE: For information on confidentiality protection, nonsampling error, and definitions, see http://factfinder.census.gov/home/en/datanotes/expsf1u.htm.

SEX AND AGE         1,400         72           Male         1,400         72           Female         543         27           Under 5 years         71         3           5 to 9 years         79         4           10 to 14 years         86         4           15 to 19 years         91         4           20 to 24 years         224         11           25 to 34 years         441         22           25 to 34 years         432         22           25 to 44 years         59         3           50 to 64 years         69         3           50 to 65 years         69         3           65 to 74 years         69         3           75 to 84 years         51         2           55 years and over         18, years and over         1,666         85           Male <th>Subject</th> <th>Number</th> <th>Percent</th>	Subject	Number	Percent
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### **CERTIFICATE OF SERVICE**

I, Dan J. Alpert, hereby certify that the foregoing Reply Comments were served upon the following parties by First Class Mail:

Lawrence J. Bernard, Jr. Law Offices of Lawrence J. Bernard, Jr. 5224 Chevy Chase Parkway, N.W. Washington, DC 20015

Dan J. Alpert